



House of Representatives

General Assembly

File No. 109

February Session, 2008

Substitute House Bill No. 5600

House of Representatives, March 20, 2008

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CONNECTICUT GLOBAL WARMING SOLUTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-200 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 As used in sections 22a-200 to 22a-200b, inclusive, as amended by
4 this act, sections 3, 5, 6 and 9 of this act and section 4a-67h:

5 (1) "Direct emissions" means emissions from sources that are owned
6 or operated, in whole or in part, by an entity or facility, including, but
7 not limited to, emissions from factory stacks, manufacturing processes
8 and vents, and company owned or leased motor vehicles;

9 (2) "Entity" means a person, as defined in section 22a-2, that owns or
10 operates, in whole or in part, a source of greenhouse gas emissions
11 from a generator of electricity or a commercial or industrial site, which
12 source may include, but not be limited to, a transportation fleet;

13 (3) "Facility" means a building, structure or installation located on
14 any one or more contiguous or adjacent properties of an entity;

15 (4) "Greenhouse gas" means any chemical or physical substance that
16 is emitted into the air and that the Commissioner of Environmental
17 Protection may reasonably anticipate will cause or contribute to
18 climate change, including, but not limited to, carbon dioxide, methane,
19 nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur
20 hexafluoride;

21 (5) "Indirect emissions" means emissions associated with the
22 consumption of purchased electricity, steam and heating or cooling by
23 an entity or facility.

24 Sec. 2. Section 22a-200a of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2008*):

26 [(a) It shall be the goal of the state to reduce emissions of
27 greenhouse gas in order to make an appropriate contribution to
28 achieving the regional goals of reducing emissions of greenhouse gas
29 to those levels emitted in 1990, which reduction to occur not later than
30 January 1, 2010, and to levels ten per cent below the 1990 levels not
31 later than January 1, 2020. The Commissioner of Environmental
32 Protection shall consult with the Conference of New England
33 Governors and Eastern Canadian Premiers to establish a date for the
34 long-term regional goal of reducing the emissions of greenhouse gas
35 by seventy-five to eighty-five per cent below 2001 levels. If the
36 Conference of New England Governors and Eastern Canadian
37 Premiers has not established a date for such long-term regional goal by
38 January 1, 2007, the date for reaching such goal shall be 2050.

39 (b) Not later than January 1, 2005, the Governor's Steering
40 Committee on Climate Change, established in November 2002, shall
41 develop a multisector, comprehensive climate change action plan, with
42 the opportunity for public comment, which plan shall contain the
43 policies and programs necessary to achieve the state's goals for the
44 reduction of greenhouse gas emissions by 2010 and 2020. The steering

45 committee shall notify each member of the General Assembly of the
46 development of such plan and of such opportunity for public
47 comment. Not later than January 1, 2005, the steering committee shall
48 submit, in accordance with section 11-4a, such plan to the joint
49 standing committees of the General Assembly having cognizance of
50 matters relating to the environment, energy, transportation and
51 commerce. Not later than January 15, 2005, such committees shall
52 convene a joint informational public hearing for the purpose of
53 reviewing such plan. Not later than February 1, 2005, such committees
54 shall meet for the purpose of consideration of endorsement of such
55 plan. Not later than February 15, 2005, the steering committee shall
56 submit a final plan to such committees.

57 (c) Not later than January 1, 2008, the steering committee shall
58 develop an amended climate change action plan, with the opportunity
59 for public comment, for achieving the state's contribution towards
60 reaching the long-term regional goal established pursuant to
61 subsection (a) of this section. The steering committee shall submit, in
62 accordance with section 11-4a, such plan to the joint standing
63 committee of the General Assembly having cognizance of matters
64 relating to the environment.

65 (d) Not later than December 1, 2005, and annually thereafter, the
66 Commissioner of Environmental Protection, in collaboration with the
67 commissioners of other state agencies and the steering committee, shall
68 submit a report to the joint standing committee of the General
69 Assembly having cognizance of matters relating to the environment on
70 the progress made in achieving the goals established in subsection (a)
71 of this section and to evaluate the appropriateness of the climate
72 change action plans developed pursuant to subsections (b) and (c) of
73 this section in achieving such goals.]

74 (a) The state shall reduce the level of emissions of greenhouse gas:

75 (1) Not later than January 1, 2020, to a level at least ten per cent
76 below the level emitted in 1990; and

77 (2) Not later than January 1, 2050, to a level at least eighty per cent
78 below the level emitted in 2001.

79 (b) The Commissioner of Environmental Protection, in consultation
80 with the Department of Public Utility Control, shall establish emission
81 levels and limits associated with the electric sector based on
82 consumption and purchases of electricity from the regional electric
83 power grid. In establishing such emission levels and limits, the
84 commissioner shall take into account the Regional Greenhouse Gas
85 Initiative and the renewable portfolio standards established under
86 section 16-245a of the 2008 supplement to the general statutes.

87 (c) On or before January 1, 2012, the Secretary of the Office of Policy
88 and Management, the Commissioners of Environmental Protection,
89 Transportation and Administrative Services shall each adopt
90 regulations, in accordance with the provisions of chapter 54, to
91 implement the provisions of this section as such provisions relate to
92 each commissioner's agency. Such regulations shall be designed to: (1)
93 Minimize costs and maximize the total benefit to the state, encourage
94 innovation, stimulate investment in low greenhouse gas technologies
95 and encourage early action to reduce greenhouse gas emissions; (2)
96 ensure that compliance with the regulations furthers rather than
97 conflicts with federal and state ambient air quality standards and goals
98 to reduce toxic air contaminant emissions; (3) weigh overall societal
99 potential benefits, including reductions in other air pollutants,
100 diversification of energy sources, and other benefits to the economy,
101 environment and public health; (4) ensure that activities undertaken to
102 comply with the regulations do not disproportionately impact low-
103 income and minority communities; (5) minimize the administrative
104 burden of implementing and complying with the regulations; (6)
105 consider the significance of the contribution of each source or category
106 of sources to state-wide greenhouse gas emissions; and (7) result in
107 greenhouse gas emission reductions that are real, permanent,
108 quantifiable, verifiable and enforceable. Such regulations shall provide
109 for an evaluation of policies and programs by the Department of
110 Environmental Protection based upon a greenhouse gas emissions cost

111 of ten dollars per ton of carbon dioxide, to be adjusted for inflation, or
112 the current Regional Greenhouse Gas Initiative or federal allowance
113 price, whichever is higher. The commissioner may adjust such cost to
114 reflect the projected costs of carbon over the lifetime of a proposed
115 project.

116 (d) The Office of Policy and Management and the Governor's
117 Steering Committee on Climate Change shall monitor and enforce
118 compliance with this section and the regulations adopted pursuant to
119 this section.

120 (e) Not later than January 1, 2012, and every five years thereafter,
121 the Secretary of the Office of Policy and Management, in consultation
122 with the Commissioner of Environmental Protection and the
123 Governor's Steering Committee on Climate Change, shall report, in
124 accordance with the provisions of section 11-4a, on the progress made
125 in achieving the emissions reductions pursuant to subsection (a) of this
126 section and an assessment of the latest scientific information and
127 relevant data regarding global climate change and the status of
128 emissions reduction achieved in other states and countries to the
129 General Assembly.

130 (f) The Secretary of the Office of Policy and Management and
131 Commissioners of Transportation, Administrative Services and
132 Environmental Protection shall each adopt regulations in accordance
133 with the provisions of chapter 54, as needed, to meet the emissions
134 limits required by subsection (a) of this section.

135 Sec. 3. Section 22a-200b of the general statutes is repealed and the
136 following is substituted in lieu thereof (*Effective October 1, 2008*):

137 (a) The Commissioner of Environmental Protection shall work to
138 establish a regional greenhouse gas registry for greenhouse gas
139 emissions and a regional reporting system in conjunction with other
140 states or a regional consortium.

141 (b) Not later than April 15, 2006, and annually thereafter, the owner

142 or operator of any facility that is required to report air emissions data
143 to the Department of Environmental Protection pursuant to Title V of
144 the federal Clean Air Act and that has stationary emissions sources
145 that emit greenhouse gases shall report to the regional registry direct
146 stack emissions of greenhouse gases from such sources. The owner or
147 operator shall report all greenhouse gas emissions in a type and format
148 that the regional registry can accommodate.

149 [(c) The commissioner shall consider, on an annual basis, requiring
150 the expansion of reporting to the regional greenhouse gas registry to
151 include, but not be limited to, other facilities or sectors, greenhouse
152 gases, or direct and indirect emissions. A decision for or against an
153 expansion of reporting and an explanation of such decision shall be
154 included in the annual report required pursuant to subsection (d) of
155 section 22a-200a.]

156 (c) Not later than April 15, 2009, the owner or operator of any
157 facility that has stationary emissions sources that emit greenhouse
158 gases in excess of ten thousand tons in carbon dioxide equivalents
159 shall report to the regional greenhouse gas registry direct emissions of
160 greenhouse gases from such sources, on a form prescribed by the
161 commissioner. Such owner or operator shall report all greenhouse gas
162 emissions in a type and format that the regional greenhouse gas
163 registry can accommodate. Each year the commissioner shall consider
164 whether to expand the reporting requirements to include other entities
165 or facilities.

166 (d) Not later than July 1, 2006, the commissioner shall provide for
167 the voluntary reporting of emissions of greenhouse gas to the regional
168 greenhouse gas registry by entities and facilities that are not required
169 to submit information pursuant to subsections (b) and (c) of this
170 section but which do so on a voluntary basis. The greenhouse gas
171 emissions reported shall be of a type and format that the regional
172 greenhouse gas registry can accommodate.

173 (e) If a regional greenhouse gas registry is not developed and
174 implemented by April 15, 2007, the commissioner shall evaluate the

175 feasibility of establishing and administering a state-wide greenhouse
176 gas registry for the collection of emissions data pursuant to subsections
177 (b) and (c) of this section. If a regional greenhouse gas registry is
178 developed after the commissioner establishes a state-wide greenhouse
179 gas registry, the reporting requirements in subsections (b) and (c) of
180 this section shall revert to the regional greenhouse gas registry in
181 accordance with said subsections (b) and (c).

182 (f) Where appropriate and feasible, the state shall incorporate the
183 standards and protocols developed by the national Climate Registry,
184 established by the Northeast States for Coordinated Air Use
185 Management and the Northeast States Center for a Clean Air Future.

186 ~~[(f)]~~ (g) Not later than July 1, 2006, and triennially thereafter, the
187 commissioner shall publish a state greenhouse gas emissions inventory
188 that includes comprehensive estimates of the quantity of greenhouse
189 gas emissions in the state for the last three years in which data is
190 available.

191 ~~[(g)]~~ (h) The commissioner may adopt regulations, in accordance
192 with the provisions of chapter 54, to implement the provisions of this
193 section. Nothing in section 4a-67h, 22a-200, as amended by this act,
194 22a-200a, as amended by this act, or this section shall limit a state
195 agency from adopting any regulation within its authority in
196 accordance with the provisions of chapter 54.

197 Sec. 4. Section 22a-200c of the 2008 supplement to the general
198 statutes is repealed and the following is substituted in lieu thereof
199 (*Effective October 1, 2008*):

200 (a) The Commissioner of Environmental Protection shall adopt
201 regulations, in accordance with chapter 54, to implement the Regional
202 Greenhouse Gas Initiative.

203 (b) The Department of Environmental Protection, in consultation
204 with the Department of Public Utility Control, shall auction all
205 emissions allowances and invest the proceeds on behalf of electric

206 ratepayers in energy conservation, load management and Class I
207 renewable energy programs and such allowances may be used to cover
208 the reasonable administrative costs of state agencies associated with
209 the adopting of regulations in accordance with section 22a-200a, as
210 amended by this act. In making such investments, the Commissioner
211 of Environmental Protection shall consider strategies that maximize
212 cost effective reductions in greenhouse gas emission. Allowances shall
213 be auctioned under the oversight of the Department of Public Utility
214 Control and the Department of Environmental Protection by a
215 contractor or trustee on behalf of the electric ratepayers.

216 (c) The regulations adopted pursuant to subsection (a) of this section
217 may include provisions to cover the reasonable administrative costs
218 associated with the implementation of the Regional Greenhouse Gas
219 Initiative in Connecticut and to fund assessment and planning of
220 measures to reduce emissions and mitigate the impacts of climate
221 change. Such costs shall not exceed seven and one-half per cent of the
222 total projected allowance value. Such regulations may also set aside a
223 portion of the allowances to support the voluntary renewable energy
224 provisions of the Regional Greenhouse Gas Initiative model rule and
225 combined heat and power.

226 (d) Any allowances or allowance value allocated to the energy
227 conservation load management program on behalf of electric
228 ratepayers shall be incorporated into the planning and procurement
229 process in sections 16a-3a of the 2008 supplement to the general
230 statutes and 16a-3b of the 2008 supplement to the general statutes.

231 Sec. 5. (NEW) (*Effective October 1, 2008*) (a) In order to achieve the
232 emission reduction requirements established in section 22a-200a of the
233 general statutes, as amended by this act, the state shall implement the
234 following:

235 (1) (A) Not later than January 1, 2009, the Commissioner of
236 Environmental Protection, in consultation with the Commissioner of
237 Transportation and the Secretary of the Office of Policy and
238 Management, may adopt regulations, in accordance with chapter 54 of

239 the general statutes, to establish a low-carbon fuel standard for all
240 motor vehicle and home heating fuels sold in the state.

241 (B) The Department of Environmental Protection shall not establish
242 such standard until the department assesses whether a sufficient
243 analytical framework exists for measuring full lifecycle greenhouse gas
244 emissions, including direct and indirect emissions of greenhouse gas
245 caused by changes in land use or other factors. Such assessment shall
246 include, but not be limited to, the modeling tools developed by the
247 California Air Resources Board and the United States Environmental
248 Protection Agency. For the purposes of this subdivision, "sufficient
249 analytical framework" means that the measurement tool used
250 accurately measures actual lifecycle greenhouse gas emissions.

251 (C) The fuel full lifecycle analysis shall include all stages of fuel and
252 feedstock production and distribution, from feedstock generation or
253 extraction to distribution, delivery and use of the finished fuel to the
254 ultimate consumer, and shall adjust the mass values for all greenhouse
255 gas emissions relative to such emissions' relative global warming
256 potential.

257 (D) Any such regulations adopted pursuant to this subdivision shall
258 mandate the use of a sufficient analytical framework and shall
259 establish a declining standard for greenhouse gas emissions measured
260 in CO2 equivalent grams per unit of fuel energy sold sufficient to
261 achieve not less than a ten per cent reduction in the lifecycle carbon
262 intensity of all motor vehicle and home heating fuels sold in the state
263 by 2020. The low carbon fuel standard shall address environmental
264 issues associated with the production of new fuels, including, but not
265 limited to, sustainability, the impact on water, air and soil quality, land
266 use change and food production. The relevant agency shall consider
267 the standards established by other states when adopting any such
268 regulations.

269 (2) The Department of Transportation shall investigate the potential
270 for the expansion of high-speed and light-rail passenger service and
271 expanded freight rail service within the Northeast region. Such

272 investigation shall include, but not be limited to, the development of
273 new rail corridors, opportunity to reduce vehicle miles traveled, and
274 an analysis of the economic and environmental benefits and effect on
275 greenhouse gas emissions of such expanded passenger and freight rail
276 service. Not later than June 1, 2009, the Commissioner of
277 Transportation shall report, in accordance with the provisions of
278 section 11-4a of the general statutes, regarding the results of such
279 investigation to the General Assembly.

280 (3) The Department of Environmental Protection shall work with
281 interested states and Canadian provinces to develop and implement
282 market-based compliance mechanisms to achieve the greenhouse gas
283 levels and limits established by section 22a-200a of the general statutes,
284 as amended by this act, including, but not limited to, cap and trade
285 programs.

286 (4) All facilities owned or leased by the state shall offset any
287 greenhouse gas emissions resulting from the removal of forests,
288 associated biomass and soil carbon through investments in land use-
289 based carbon offsets within the state. The Secretary of the Office of
290 Policy and Management, in consultation with the Commissioner of
291 Environmental Protection, shall develop standards and verification
292 protocols to ensure that such offsets occur and that such offsets are
293 permanent, enforceable and verifiable.

294 (5) The Secretary of the Office of Policy and Management, in
295 consultation with the Commissioner of Environmental Protection, shall
296 develop a model municipal smart growth code that municipalities may
297 adopt. Such model code shall encourage open space preservation,
298 mixed land uses, compact building design, the availability of public
299 transit and other low-carbon emission transportation alternatives, and
300 shall emphasize strengthening and directing development towards
301 existing infrastructure. The secretary shall investigate potential
302 incentives to encourage municipalities to adopt the model code and
303 shall report, in accordance with the provisions of section 11-4a of the
304 general statutes, to the General Assembly regarding its findings no

305 later than January 1, 2009.

306 Sec. 6. (NEW) (*Effective October 1, 2008*) (a) No load-serving entity in
307 the state of Connecticut shall sign a power purchase agreement or
308 capacity contract for, and the Department of Environmental Protection
309 shall not issue a permit for, any new baseload fossil fuel power plant
310 that commences operations after June 1, 2008, that exceeds the carbon
311 dioxide emissions rate of one thousand one hundred pounds per
312 megawatt-hours for the total emissions associated with producing
313 electricity, including useful thermal output, except that the
314 Commissioner of Environmental Protection may reduce such rate to
315 account for advances in technology.

316 (b) The Department of Environmental Protection may adopt
317 regulations in accordance with the provisions of chapter 54 of the
318 general statutes to create monitoring and verification requirements to
319 ensure the capture and sequestration of carbon dioxide. Any such
320 regulations shall be consistent with any federal guidelines concerning
321 permanent sequestration of carbon dioxide. Greenhouse gas emissions
322 that are sequestered permanently, pursuant to any such regulations,
323 shall be excluded from the determination of whether the greenhouse
324 gas emission limits established under section 22a-200 of the general
325 statutes, as amended by this act, have been met.

326 Sec. 7. Section 22a-1b of the general statutes is repealed and the
327 following is substituted in lieu thereof (*Effective October 1, 2008*):

328 The General Assembly directs that, to the fullest extent possible:

329 (a) Each state department, institution or agency shall review its
330 policies and practices to insure that they are consistent with the state's
331 environmental policy as set forth in sections 22a-1 and 22a-1a.

332 (b) (1) Each sponsoring agency shall, prior to a decision to prepare
333 an environmental impact evaluation pursuant to subsection (c) of this
334 section for an action which may significantly affect the environment,
335 conduct an early public scoping process.

336 (2) To initiate an early public scoping process, the sponsoring
337 agency shall provide notice on a form that has been approved by the
338 Council on Environmental Quality, which shall include, but not be
339 limited to, the date, time and location of any proposed public scoping
340 meeting and the duration of the public comment period pursuant to
341 subdivision (3) of this subsection, to the council, the Office of Policy
342 and Management and any other state agency whose activities may
343 reasonably be expected to affect or be affected by the proposed action.

344 (3) Members of the public and any interested state agency
345 representatives may submit comments on the nature and extent of any
346 environmental impacts of the proposed action during the thirty days
347 following the publication of the notice of the early public scoping
348 process pursuant to this section.

349 (4) A public scoping meeting shall be held at the discretion of the
350 sponsoring agency or if twenty-five persons or an association having
351 not less than twenty-five persons requests such a meeting within ten
352 days of the publication of the notice in the Environmental Monitor. A
353 public scoping meeting shall be held not less than ten days following
354 the notice of the proposed action in the Environmental Monitor. The
355 public comment period shall remain open for at least five days
356 following the meeting.

357 (5) A sponsoring agency shall provide the following at a public
358 scoping meeting: (A) A description of the proposed action; (B) a
359 description of the purpose and need of the proposed action; (C) a list of
360 the criteria for a site for the proposed action; (D) a list of potential sites
361 for the proposed action; (E) the resources of any proposed site for the
362 proposed action; (F) the environmental limitations of such sites; (G)
363 potential alternatives to the proposed action; and (H) any information
364 the sponsoring agency deems necessary.

365 (6) Any agency submitting comments or participating in the public
366 scoping meeting pursuant to this section shall include, to the extent
367 practicable, but not be limited to, information about (A) the resources
368 of any proposed site for the proposed action, (B) any plans of the

369 commenting agency that may affect or be affected by the proposed
370 action, (C) any permits or approvals that may be necessary for the
371 proposed action, and (D) any appropriate measures that would
372 mitigate the impact of the proposed action, including, but not limited
373 to, recommendations as to preferred sites for the proposed action or
374 alternatives for the proposed action that have not been identified by
375 the sponsoring agency.

376 (7) The sponsoring agency shall consider any comments received
377 pursuant to this section or any information obtained during the public
378 scoping meeting in selecting the proposed actions to be addressed in
379 the environmental impact evaluation and shall evaluate in its
380 environmental impact evaluation any substantive issues raised during
381 the early public scoping process that pertain to a proposed action or
382 site or alternative actions or sites.

383 (c) Each state department, institution or agency responsible for the
384 primary recommendation or initiation of actions which may
385 significantly affect the environment shall in the case of each such
386 proposed action make a detailed written evaluation of its
387 environmental impact before deciding whether to undertake or
388 approve such action. All such environmental impact evaluations shall
389 be detailed statements setting forth the following: (1) A description of
390 the proposed action which shall include, but not be limited to, a
391 description of the purpose and need of the proposed action, and, in the
392 case of a proposed facility, a description of the infrastructure needs of
393 such facility, including, but not limited to, parking, water supply,
394 wastewater treatment and the square footage of the facility; (2) the
395 environmental consequences of the proposed action, including
396 cumulative, direct and indirect effects which might result during and
397 subsequent to the proposed action; (3) any adverse environmental
398 effects which cannot be avoided and irreversible and irretrievable
399 commitments of resources should the proposal be implemented; (4)
400 alternatives to the proposed action, including the alternative of not
401 proceeding with the proposed action and, in the case of a proposed
402 facility, a list of all the sites controlled by or reasonably available to the

403 sponsoring agency that would meet the stated purpose of such facility;
404 (5) an evaluation of the proposed action's consistency and each
405 alternative's consistency with the state plan of conservation and
406 development, an evaluation of each alternative including, to the extent
407 practicable, whether it avoids, minimizes or mitigates environmental
408 impacts, and, where appropriate, a description of detailed mitigation
409 measures proposed to minimize environmental impacts, including, but
410 not limited to, where appropriate, a site plan; (6) an analysis of the
411 short term and long term economic, social and environmental costs
412 and benefits of the proposed action; (7) the effect of the proposed
413 action on the use and conservation of energy resources; [and] (8) a
414 description of the effects of the proposed action on sacred sites or
415 archaeological sites of state or national importance; and (9) an analysis
416 of the effect of the proposed action on greenhouse gas and other air
417 pollutant emissions and the economic and safety needs of the state. In
418 the case of an action which affects existing housing, the evaluation
419 shall also contain a detailed statement analyzing (A) housing
420 consequences of the proposed action, including direct and indirect
421 effects which might result during and subsequent to the proposed
422 action by income group as defined in section 8-37aa and by race, and
423 (B) the consistency of the housing consequences with the long-range
424 state housing plan adopted under section 8-37t. As used in this section,
425 "sacred sites" and "archaeological sites" shall have the same meaning as
426 in section 10-381 and "greenhouse gas" shall have the same meaning as
427 in section 22a-200, as amended by this act.

428 (d) (1) The Council on Environmental Quality shall publish a
429 document at least once a month to be called the Environmental
430 Monitor which shall include any notices the council receives pursuant
431 to sections 22a-1b to 22a-1i, inclusive, as amended by this act, and shall
432 include notice of the opportunity to request a public scoping meeting.
433 Filings of such notices received by five o'clock p.m. on the first day of
434 each month shall be published in the Environmental Monitor that is
435 issued not later than ten days thereafter.

436 (2) The Council on Environmental Quality shall post the

437 Environmental Monitor on its Internet site and distribute a
438 subscription or a copy of the Environmental Monitor by electronic mail
439 to any state agency, municipality or person upon request. The council
440 shall also provide the Environmental Monitor to the clerk of each
441 municipality for posting in its town hall.

442 Sec. 8. Section 29-256a of the 2008 supplement to the general statutes
443 is repealed and the following is substituted in lieu thereof (*Effective*
444 *October 1, 2008*):

445 (a) On and after January 1, 2008, the State Building Inspector and
446 the Codes and Standards Committee shall revise the State Building
447 Code to require that buildings and building elements, including
448 residential, be designed to provide optimum cost-effective energy
449 efficiency over the useful life of the building. [Such revision shall meet
450 the American Society of Heating, Refrigerating and Air Conditioning
451 Engineers Standard 90.1 for new construction.]

452 (b) Notwithstanding subsection (a) of this section, the State Building
453 Inspector and the Codes and Standards Committee shall revise the
454 State Building Code to require that any (1) building, except a
455 residential building with no more than four units, constructed after
456 January 1, 2009, that is projected to cost not less than five million
457 dollars, and (2) renovation to any building, except a residential
458 building with no more than four units, started after January 1, 2010,
459 that is projected to cost not less than two million dollars shall be built
460 or renovated using building construction standards consistent with or
461 exceeding the silver building rating of the Leadership in Energy and
462 Environmental Design's rating system for new commercial
463 construction and major renovation projects, as established by the
464 United States Green Building Council, or an equivalent standard,
465 including, but not limited to, a two-globe rating in the Green Globes
466 USA design program. The inspector and the committee shall provide
467 for an exemption for any building if the Institute for Sustainable
468 Energy finds, in a written analysis, that the cost of such compliance
469 significantly outweighs the benefits.

470 (c) Not later than January 1, 2009, the State Building Inspector and
471 the Codes and Standards Committee shall revise the State Building
472 Code to include the most stringent model energy standards available.
473 Such revisions shall meet the most recent version of the International
474 Energy Conservation Code standards or the American Society of
475 Heating, Refrigerating and Air Conditioning Engineers Standard 90.1
476 for new construction, as appropriate. After said revision, the State
477 Building Inspector and the Codes and Standards Committee shall
478 revise the State Building Code not later than six months after the
479 publication of any revision to such standards.

480 (d) Not later than January 1, 2009, the Secretary of the Office of
481 Policy and Management, in consultation with the Commissioners of
482 Public Works, Environmental Protection and Public Safety, shall adopt
483 regulations, in accordance with the provisions of chapter 54, for any
484 new construction or major renovation of a state-owned or leased
485 building, to create building construction energy standards that exceed
486 the standard set forth in the American Society of Heating,
487 Refrigerating and Air Conditioning Engineers Standard 90.1 by not
488 less than twenty per cent. The secretary may revise such regulations as
489 necessary.

490 Sec. 9. (*Effective from passage*) (a) On or before July 1, 2008, the
491 Commissioner of Administrative Services shall establish, in accordance
492 with the provisions of chapter 67 of the general statutes, the class of
493 certified energy inspector within the Office of Policy and Management.

494 (b) On or before September 1, 2008, the Office of Policy and
495 Management shall develop a training and certification program for the
496 class established under subsection (a) of this section.

497 Sec. 10. (NEW) (*Effective January 1, 2009*) No certificate of occupancy
498 shall be issued for a new construction project or major renovation
499 project until such project has been certified by a certified energy
500 inspector as being in compliance with the energy standards established
501 in accordance with section 29-256a of the 2008 supplement to the
502 general statutes, as amended by this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	22a-200
Sec. 2	<i>October 1, 2008</i>	22a-200a
Sec. 3	<i>October 1, 2008</i>	22a-200b
Sec. 4	<i>October 1, 2008</i>	22a-200c
Sec. 5	<i>October 1, 2008</i>	New section
Sec. 6	<i>October 1, 2008</i>	New section
Sec. 7	<i>October 1, 2008</i>	22a-1b
Sec. 8	<i>October 1, 2008</i>	29-256a
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>January 1, 2009</i>	New section

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Department of Environmental Protection	EQ - Cost	601,250	799,500
Department of Environmental Protection	EQ - Revenue Gain	Potential \$1.5M-\$3.3M	Potential \$1.5M-\$3.3M
Treasurer, Debt Serv.	GF - Potential Cost	See Below	See Below
Treasurer, Debt Serv.	TF - Potential Cost	See Below	See Below
Dept. of Administrative Services	GF - Cost	None	70,300
Various State Agencies	GF - Cost	See Below	See Below
Department of Transportation	GF - Cost	See Below	See Below
DPS- DFEBS	GF - Cost	Uncertain	Uncertain
Various State Agencies	Various - Cost	Potential Significant	Potential Significant
Policy & Mgmt., Off.	GF - Cost	945,000	973,350
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Cost	239,652	570,675

Note: EQ=Environmental Quality Fund; GF=General Fund; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 09 \$	FY 10 \$
All Municipalities	Cost	Uncertain	Uncertain

Explanation

The Department of Environmental Protection's (DEP) Environmental Quality (EQ) Fund would incur costs of about \$600,000

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The first year fringe benefit costs for new positions do not include pension costs. The estimated first year fringe benefit rate as a percentage of payroll is 25.36%. The state's pension contribution is based upon the prior year's certification by the actuary for the State

in FY 09 and about \$800,000 in FY 10. These costs include fringe benefits paid for by the EQ fund of about 25% in FY 09 and about 59% in FY 10. This would result in ten new Environmental Analyst II positions for DEP to adopt, implement and enforce regulations required by the bill. The cost for one Environmental Analyst II is \$60,125, including fringe benefits.

The actual EQ Fund balance for FY 07 is \$11.6 million and the estimated fund balance for FY 08 is \$10.5 million. The EQ fund is used to fund a variety of activities in support of environmental quality programs, especially those related to permit issuance, monitoring, and enforcement and is funded mainly through permit and license fees.

DEP could also experience revenues of about \$1.5 million to \$3.5 million as a result of annual auction revenues generated from the program described in Section 4a of the bill. These revenues are intended for use by DEP to fund various state agencies to adopt and implement regulations to reduce Green House Gas (GHG) emissions, for Regional Greenhouse Gas Initiative (RGGI) implementation costs on a statewide and regional basis, and to fund climate change adaptation-related tasks and studies. These requirements for DEP to fund these various initiatives could significantly reduce the amount of revenue retained by DEP.

Section 2 will result in significant costs to the Office of Policy and Management (OPM) to monitor and enforce compliance with the state law and regulations related to the GHG caps. It is anticipated this will require three additional staff with associated salaries and other expenses of \$270,000.

Section 5 will result in a significant cost to OPM. It is anticipated OPM will require two additional positions, with salary and associated other expenses of \$180,000 to develop standards and verification protocols to ensure that offsets occur and that such offsets are

Employees Retirement System (SERS). The SERS fringe benefit rate is 33.27%, which when combined with the rate for non-pension fringe benefits totals 58.63%.

permanent, enforceable and verifiable. Additionally, it is anticipated that OPM will require one position, with salary and associated other expenses of \$90,000 to develop a model municipal smart growth code that municipalities can adopt.

Section 7 requires state agencies conducting a Connecticut Environmental Policy Act (CEPA) impact analysis to include an analysis of the effect of the proposed action on green house gases (GHG) and other air pollutant emissions and the state's economic and safety needs. The cost in additional consultant fees is estimated to be \$60,000 for each CEPA impact analysis, including: (1) \$10,000 for analyzing GHG and other air pollutant emissions, and (2) \$50,000 for analyzing the state's economic and safety needs.

Section 8 requires OPM, in consultation with DEP, to adopt regulations for any new construction or major renovation of state-owned or leased buildings for standards that exceed the standards set forth in the American Society of Heating, Refrigerating and Air Conditioning Engineers Standard 90.1 by not less than 20 percent. It is anticipated OPM will require two additional staff with salary and associated expenses of \$180,000.

Section 8 also raises energy efficiency standards by at least 20% above the current level for new construction or state-owned or leased space when a major renovation is done. This is expected to result in costs to the General Fund (GF) or Special Transportation Fund (STF) for the following reasons:

New construction projects are financed with bond funds so any increase in construction costs due to increased energy efficiency standards would result in an increase in GF or STF debt service costs.

There would be GF or STF operating budget or debt service costs for the renovation of state-owned space, depending whether the project is financed with operating funds or bond funds;

If the landlord agrees to pay for the energy improvements on leased

space it would result in increased GF or STF operating budget costs because costs of tenant improvements are usually included in the cost to lease the space; if the state pays for the cost of the improvements there would be increased GF or STF operating budget costs, and if the landlord refuses to permit the energy improvements or to pay for them there would be a GF or STF operating budget cost to move the state agency to new leased space.

These additional GF and STF costs could be offset by savings in the operations of the new buildings renovated space over their lifetime, especially in heating and ventilation costs.

The bill requires the Department of Administrative Services (DAS) to adopt regulations concerning GHG caps and emission limits by January 1, 2012. DAS does not currently have the technical subject matter expertise to handle this requirement. Therefore, DAS will need to hire a Legislative & Administrative Advisor 1 (MP 59), with a salary of approximately \$70,300, to research and write these regulations.

Section 8 also requires the State Building Inspector and the Codes and Standards Committee to revise the State Building Code to meet the most recent version of the International Energy Conservation Code standards or the American Society of Heating, Refrigerating and Air Conditioning Engineers Standard 90.1 for new construction, as appropriate. The Codes and Standards Committee is currently in the process of revising the Code to meet these standards and as such this would result in no additional fiscal impact to the Division of Fire, Emergency, and Building Services within the Department of Public Safety.

This section would also require that any new construction or major renovation of a state-owned or leased building exceed the American Society of Heating, Refrigerating and Air Conditioning Engineers Standard 90.1 by at least twenty percent. This would result in a potential significant cost to the state as the construction and renovation costs associated with such projects would increase commensurate with the enhanced standard.

Sections 9 and 10 require OPM to develop a training and certification program for the class of certified energy inspectors. It is anticipated that OPM will hire two staff, with salary and associated expenses of \$225,000, to train existing state and municipal building inspectors.

Section 10 requires, as of January 1, 2009, that a certified energy inspector certify any new construction or major renovation project prior to the issuance of a certificate of occupancy. It is unclear whether this energy inspection would be performed at the state level or if local building inspectors would be trained to perform these duties, therefore the impact cannot be determined.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5600*****AN ACT CONCERNING CONNECTICUT GLOBAL WARMING SOLUTIONS.*****SUMMARY:**

This bill mandates a wide range of measures to reduce greenhouse gas (GHG) emissions. The bill affects the power generating, transportation and building sectors.

Current law sets state GHG emission reduction goals for the years 2010, 2020, and 2050. The bill requires the state to meet its 2020 and 2050 goals and makes a number of other changes designed to reduce GHG emissions. It:

1. requires the Department of Environmental Protection (DEP) commissioner to establish emission limits for the electric industry;
2. expands reporting requirements by requiring owners and operators of certain stationary emission sources to report GHG emissions to the regional greenhouse gas registry;
3. requires the state building inspector and the Codes and Standards Committee to revise the State Building Code to include the most stringent energy standards available;
4. creates more stringent building construction energy standards, and requires the Office of Policy and Management (OPM), after consulting with DEP and the departments of Public Works and Public Safety, to adopt regulations for new construction or major renovation of a state-owned or -leased building;

5. prohibits issuance of a certificate of occupancy for new construction or major renovation unless it meets the more stringent energy standards, and creates a new class of certified energy inspector;
6. requires state-owned or -leased facilities to offset their GHG emissions through investments in land use-based carbon offsets in Connecticut;
7. requires the Transportation Department to investigate possible expanded high speed and light rail passenger service and expanded freight rail service in the northeast;
8. requires OPM secretary to develop a model municipal smart growth code;
9. requires state agencies, when conducting a Connecticut Environmental Policy Act (CEPA) environmental impact evaluation, to include an analysis of the effect of the proposed action on GHG and other air pollutant emissions and the state's economic and safety needs;
10. allows proceeds from the auction of emission allowances be to used to cover certain DEP administrative costs;
11. authorizes the creation, by regulation, of a low-carbon fuel standard for motor vehicle and home heating fuels;
12. requires DEP to work with other states and Canadian provinces to develop market-based compliance mechanisms to achieve the GHG limits; and
13. makes other changes.

The bill also prohibits load-serving entities from signing a power purchase agreement for, and bars DEP from permitting, a new base-load fossil fuel power plant that begins operating after June 1, 2008 if it exceeds the carbon dioxide (CO₂) emissions rate of 1,100 pounds per

megawatt-hour for the total emissions associated with producing electricity.

EFFECTIVE DATE: October 1, 2008 except the creation of the class of certified energy inspector takes effect upon passage, and the requirement that certain building projects meet energy stands before getting a certificate of occupancy takes effect January 1, 2009.

SETTING GHG EMISSION LIMITS

Current law sets goals of reducing state GHG emissions to (1) 1990 levels by January 1, 2010 and (2) 10% below 1990 levels by January 1, 2020. It sets a default goal of reducing emissions between 75% and 85% below 2001 levels by 2050. The bill eliminates the 2010 goal and instead requires the state to reduce its GHG emissions to (1) at least 10% below 1990 levels by January 1, 2020 and (2) at least 80% below 2001 levels by January 1, 2050.

Agency Regulations

It requires, by January 1, 2012, the OPM secretary, commissioners of DEP, and the departments of Administrative Services (DAS) and Transportation (DOT) to each adopt regulations concerning the GHG caps as they pertain to each agency, and to meet the bill's emission limits. The regulations must provide for DEP evaluation of policies and programs based upon a GHG emissions cost of \$10 per ton of CO₂, adjusted for inflation, or the current RGGI or federal allowance price, whichever is more. The DEP commissioner may adjust the cost to reflect the projected cost of carbon over a proposed project's lifetime.

These regulations must:

1. minimize cost and maximize the total benefit to the state, encourage innovation, stimulate investment in low GHG technology and encourage early action to reduce GHG emissions;
2. ensure that compliance with the regulations furthers federal and state air pollution standards and goals to reduce emissions of

toxic air pollutants;

3. weigh potential benefits to society, including reducing other air pollutants, diversifying energy sources, and other benefits to the economy, environment, and public health;
4. ensure that activities taken to comply with the regulations do not disproportionately impact low-income and minority communities;
5. minimize the administrative burden of implementing and complying with the regulations;
6. consider the significance of the contribution of each source or category of sources to statewide GHG emissions; and
7. result in GHG emission reductions that are real, permanent, quantifiable, verifiable, and enforceable.

OPM and the Governor's Steering Committee on Climate Change (steering committee) must monitor and enforce compliance with the law and regulations.

DEP must work with interested states and Canadian provinces to develop and implement mechanisms, including cap and trade programs, to achieve compliance with the bill's GHG limits.

The bill authorizes DEP to adopt regulations creating monitoring and verification requirements to ensure the capture and sequestration of CO₂. The regulations must be consistent with federal guidelines concerning permanent sequestration. Permanently sequestered GHG emissions must be excluded when determining if the state has met its GHG emission limits.

Reporting Requirements

The bill eliminates a requirement that DEP, in collaboration with other state agencies and the steering committee, submit an annual report to the Environment Committee on progress made in achieving

the state's Climate Change Action Plan goals. It instead requires that, by January 1, 2012 and every five years thereafter, the OPM secretary, after consulting with the DEP commissioner and the steering committee, report to the legislature on (1) the progress made in achieving the emission reductions and (2) an assessment of the latest scientific information and relevant data on climate change and the status of emission reductions in other states and countries.

GHG Emissions Reporting

Under current law, owners and operators of stationary emission sources that report air emissions data to DEP under Title V of the Clean Air Act must annually report their GHG emissions to the regional GHG registry. The bill requires, by April 15, 2009, that owners and operators of stationary emission sources that emit more than 10,000 tons of CO₂ equivalents report to the regional GHG registry on a DEP form. They must report all GHG emissions in a format the registry can accommodate. The DEP commissioner must annually consider whether to expand the reporting requirements to other entities or facilities. The bill eliminates a requirement that she annually explain her decision to the legislature.

It requires the state (apparently DEP), where appropriate and feasible, to incorporate the standards and protocols developed by the national climate registry established by the Northeast States for Coordinated Air Use Management (NESCAUM) and the Northeast States Center for a Clean Air Future.

ELECTRIC SECTOR

Electric Sector Emission Levels

The bill requires DEP, in consultation with the Department of Public Utility Control, to establish emission levels for the electric sector, based on consumption and electricity purchases from the regional electric power grid. The DEP commissioner must consider the Regional Greenhouse Gas Initiative (RGGI) and the state's renewable portfolio standards when establishing these limits.

Use of Emissions Allowances

Connecticut is a member of RGGI, which is a multistate initiative to design and implement a cap-and-trade program to reduce power plant carbon dioxide emissions in the northeast (see BACKGROUND). By law, the state must adopt regulations to implement the RGGI cap-and-trade program (see BACKGROUND). By law, after implementing this program, DEP, in consultation with DPUC, must auction all emission allowances and invest the proceeds on behalf of electric ratepayers in energy conservation, load management, and Class I renewable energy programs. The state may use up to 7.5% of the total projected allowance value for reasonable administrative costs associated with implementing RGGI. The bill specifically allows these allowances to be used to cover the reasonable administrative costs state agencies incur adopting the GHG emission regulations the bill requires.

Fossil Fuel Power Plant Restrictions

The bill prohibits (1) a load-serving entity from signing a power purchase agreement or capacity contract for, and (2) DEP from permitting, a new base load fossil fuel power plant that begins operating after June 1, 2008, if it emits CO₂ at a rate greater than 1,100 pounds per megawatt-hour for the emissions associated with producing electricity, including useful thermal output. The DEP commissioner may reduce the rate to account for technological advances. Load-serving entities are not defined in state law or regulation, but include utilities and other certain entities under federal law.

BUILDINGS AND LAND USE***Tightening the State Building Code***

By law, the state building inspector and the Codes and Standards Committee must revise the State Building Code to require that buildings, including residential buildings, are designed to provide optimum cost-effective energy efficiency during their useful life. Current law requires the revision to meet the American Society of Heating, Refrigerating, and Air Conditioning Engineers Standard 90.1 for new construction (Standard 90.1).

The bill eliminates the requirement that these buildings meet this standard, and instead requires, by January 1, 2009 the inspector and committee to revise the code to include the most stringent model energy standards available. These revisions must meet either the most recent version of the International Energy Conservation Code standards or Standard 90.1, as appropriate. The inspector and committee must revise the code no later than six months after these standards are revised.

State Buildings

By January 1, 2009, the OPM secretary, in consultation with the commissioners of DEP and the departments of Public Works and Public Safety, must adopt regulations for new construction or major renovation of state-owned or -leased buildings that create building construction energy standards that exceed by at least 20% the standards set forth in Standard 90.1. The secretary may revise the regulations as needed.

All state-owned and -leased facilities must offset any GHG emissions resulting from the removal of forests, associated biomass, and soil carbon through investments in land use-based carbon offsets in Connecticut. The OPM secretary, in consultation with the DEP commissioner, must develop standards and verification protocols to ensure that the offsets occur and are permanent, enforceable and verifiable.

Certified Energy Inspectors and Certificates of Occupancy

By July 1, 2008, the commissioner of administrative services must establish the classification of certified energy inspector in OPM. He must develop a training and certification program for this position by September 1, 2008. The bill requires a certified energy inspector to certify, starting January 1, 2009, that a new construction or major renovation project complies with the bill's energy standards before issuing a certificate of occupancy. There are two sections of the bill to which this provision could apply, one of which affects all construction, including single-family residential. The other affects major

construction and renovation projects, but excludes residential buildings of up to four units. It is unclear to which section this requirement applies.

Development of a Smart Growth Code

The OPM secretary, in consultation with the DEP commissioner, must develop a model municipal smart growth code that encourages (1) open space preservation, (2) mixed land use, (3) compact building design, and (4) the availability of public transit and other low-carbon emission transportation alternatives. It must emphasize strengthening and directing development towards existing infrastructure. The secretary must investigate potential incentives to encourage municipalities to adopt the model code, and must report to the legislature on his findings by January 1, 2009.

TRANSPORTATION SECTOR

Passenger and Freight Rail Service

DOT must investigate the potential for expanding high speed and light-rail passenger service and freight rail services in the Northeast. The investigation must include developing new rail corridors, reducing vehicle miles traveled, and analyzing the expanded service's effect on economic and environmental benefits and GHG emissions. The commissioner must report to the legislature by June 1, 2009.

Low Carbon Fuel Standard

The bill allows the DEP commissioner, in consultation with the DOT commissioner and OPM secretary, to adopt regulations establishing a low-carbon fuel standard for motor vehicle and home heating fuel sold in the state. Before adopting the regulations, DEP must determine if a sufficient analytical framework exists to accurately measure full-lifecycle GHG emissions, including GHG emissions caused by changes in land use and other factors. DEP's assessment must include the modeling tools developed by the California Air Resources Board and U.S. Environmental Protection Agency (EPA).

The fuel full-lifecycle analysis must (1) include all stages of fuel and

feedstock production and distribution and (2) adjust the weight for all GHG emissions relative to their global warming potential. Any adopted regulations must mandate the use of a sufficient analytic framework, and establish a declining standard for GHG emissions measured in CO₂ equivalent grams per unit of fuel energy sold, sufficient to achieve at least a 10% reduction in the lifecycle carbon intensity of all motor vehicle and home heating fuels sold in Connecticut by 2020.

The low carbon fuel standard must address issues associated with the production of new fuels, including sustainability, water, air, and soil quality impact, land use change, and food production. The relevant agency (apparently DEP) must consider other state standards when adopting regulations.

BACKGROUND

Climate Change Action Plan and Governor's Steering Committee on Climate Change

The Conference of New England Governors and Eastern Canadian Premiers, representing the six New England states and the provinces of New Brunswick, Newfoundland, Labrador, Nova Scotia, and Prince Edward Island issued a Climate Change Action Plan in 2001 that recommended short- and long-term goals to reduce greenhouse gas emissions. The governor subsequently appointed a steering committee to organize a discussion among businesses, nonprofit organizations, state and local government agencies, and academic institutions of ways to reduce greenhouse gas emissions.

Regional Greenhouse Gas Initiative

RGGI, of which Connecticut is a member, is a multistate initiative to design and implement a flexible, market-based, cap-and-trade program to reduce power plant carbon dioxide emissions in the northeast United States. Connecticut was one of seven states to agree in 2005 to a CO₂ cap and trade program for all fossil-fuel electric generating units of 25 megawatts or more. The program begins January 1, 2009.

Each state will allocate allowances up to the amount of its emission budget, with each allowance allowing a regulated source to emit one ton of CO₂. Under RGGI, instead of giving allowances directly to electric generators for free, states will sell a significant portion through a regional auction, or other means. By law, Connecticut must auction all emission allowances and invest the proceeds on behalf of electric ratepayers in energy conservation, loan management, and class I renewable energy programs. The state may use up to 7.5% of the total projected allowance value for reasonable administrative costs of implementing RGGI (CGS § 22a-200c).

Cap and Trade Program

Under a cap-and-trade program, states set the total amount of carbon dioxide emissions to be allowed from all sources (emissions cap). The emissions allowed under the new cap are then divided into individual permits that represent the right to emit that amount. Companies are free to buy and sell permits in order to continue operating in the most profitable manner available to them. Thus, companies that are able to reduce emissions at a low cost can sell their extra permits to companies facing high costs (which will generally prefer to buy permits rather than make costly reductions themselves).

Renewable Portfolio Standards

By law, electric companies and suppliers have to obtain a certain percentage of their power from renewable resources, such as solar and wind power.

Connecticut Environmental Policy Act (CEPA) and Environmental Impact Evaluations (EIEs)

CEPA identifies and evaluates the impact of proposed state actions that could significantly affect the environment. State departments, institutions, or agencies considering (or funding in whole or part) actions that may significantly affect the environment (including actions that could have a short-term disadvantage to long-term environmental goals) must prepare an EIE before deciding whether to undertake or approve such an action. The EIE must be submitted to various

agencies and is open to public inspection and comment.

Carbon Sequestration

Carbon sequestration is long-term storage of carbon on the earth's surface, underground, or the oceans, so that the buildup of CO₂ concentration in the atmosphere will reduce or slow. In some cases, this is accomplished by maintaining or enhancing natural processes; in other cases, new techniques are developed to dispose of carbon.

CO₂ Equivalent

CO₂ equivalent is a measurement that describes the global warming potential of a particular GHG over a specific period of time relative to CO₂.

Title V Sources

DEP issues Title V operating permits to power plants and other major sources of air pollution subject to the federal Clean Air Act. Permittees must ensure compliance with pollution control requirements. According to DEP, about 126 Title V facilities report to it.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 18 Nay 6 (03/07/2008)